

REMARKS/ARGUMENTS

The withdrawn claims have been amended to depend from elected and examined claim 1, which has been narrowed by incorporation of the limitations of original claims 2-4. Thus, the withdrawn claims are in condition for rejoinder and allowance along with claim 1 and claims dependent thereon. Applicants reserve the right to file one or more divisional applications directed to original Claims 10-18. New Claim 19 is supported by Examples 1-3 and Figure 1. New Claim 20 is supported at specification page 5, lines 13 and 23. No new matter has been entered.

A new 1449 is attached. The references lined through and objected to were properly submitted as they were listed on a provided International Search Report along with designations "X," "Y," etc. As noted in the MPEP:

Where the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report.

See M.P.E.P. 609.04(a). An initialed and dated copy of the 1449 is requested.

In view of the above amendment to Claim 1, the only rejection remaining is that for obviousness over Kondo in view of EP '221. However, it is admitted in paragraph 13 of the Official Action that Kondo in view of EP '221 is silent as to graphite containing both a boron and a phosphorous element. Thus, on this basis alone, the rejection should be withdrawn.

In addition, the present application shows the significant benefits obtained with a shaped expanded graphite article having an oxidation-resistant coating layer comprising both a boron element and a phosphorous element. See, for example, specification page 5 which explains that contents of both boron and phosphorous outside the presently claimed ranges

provide articles that do not have sufficient oxidation resistance. This is shown quite clearly in Figure 1:

	ELEMENTAL ANALYSIS		COATING LAYER (μm)	FLEXIBILITY		RATE OF OXIDATION LOSS (mass%) at 800 °C for 3 hours in the air
	BORON (mass%)	PHOSPHORUS (mass%)		LONGITUDINAL DIRECTION (times)	TRANSVERSE DIRECTION (times)	
EXAMPLE 1	15	2	20	13	22	10
EXAMPLE 2	1	0.1	2	15	23	30
EXAMPLE 3	30	3	50	10	18	2
COMPARATIVE EXAMPLE 1	15	0	18	13	20	50
COMPARATIVE EXAMPLE 2	0	2	0.2	15	25	95
COMPARATIVE EXAMPLE 3	0.5	0.05	0.1	15	27	98

where Examples 1-3 show the benefits of having both boron and phosphorous within the presently claimed ranges as compared with boron alone (Comparative Example 1), phosphorus alone (Comparative Example 2) and, importantly, both boron and phosphorous but each below the presently claimed contents (Comparative Example 3). Note especially the significant differences in rate of oxidation loss in the last column of the above Table, where the values for the Comparative Examples widely differ from those obtained for shaped expanded graphite articles according to the present invention.

Because there is nothing in the combination of references suggesting the use of both a boron and a phosphorous element, and nothing in the combination of references that would

Application No. 10/526,350
Reply to Office Action of July 13, 2007

predict the benefits noted above with regard to the presently claimed amounts of each element, Applicants respectfully submit that the present application is in condition for allowance, and early notification to this effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Richard L. Treanor
Attorney of Record
Registration No. 36,379

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Form PTO 1449
(Modified)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.

266983US0X PCT

SERIAL NO.

New U.S. PCT Application
Based on PCT/JP03/11224

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

Yoshiaki HIROSE, et al.

FILING DATE

Herewith

GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO	10-130626	05/19/98	JP		NO
	AP	10-226573	08/25/98	JP		NO
	AQ	60-247041	12/06/85	JP		NO
	AR	55-080711	06/18/80	JP		NO
	AS	52-035205	03/17/77	JP		NO
	AT	1211221	06/05/02	EP		NO
	AU	52-082912	07/11/77	JP		NO
	AV					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	
	AX	
	AY	
	AZ	<input type="checkbox"/> Additional References sheet(s) attached

Examiner

Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.